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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/192,273	11/16/1998	DOREE D. SELIGMANN	2925-110P	9569

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EXAMINER

COULTER, KENNETH R

ART UNIT PAPER NUMBER

2154

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/192,273

Applicant(s)  
Doree Sellgmann

Examiner  
Kenneth R. Coulter

Art Unit  
2154

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 30, 2002
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-11, 13, 16, 18-21, 23, 24, 27, 30, 33-35, 37, 38, 41, 44, and 46-49 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 12, 14, 15, 17, 22, 25, 26, 28, 29, 31, 32, 36, 39, 40, 42, 43, 45, 50, and 51 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on May 19, 1999 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 2, 5 - 11, 13, 16, 18 - 21, 23, 24, 27, 30, 33 - 35, 37, 38, 41, 44, and 46 - 49 are rejected under 35 U.S.C. 102(e) as being disclosed by Whitridge et al. (U.S. Pat. No. 6,119,179) (Telecommunications Adapter Providing Non-Repudiable Communications Log and Supplemental Power for a Portable Programmable Device).

2.1 Regarding claim 1, Whitridge discloses a method of operating a Personal Digital Assistant (PDA) with an Internet Protocol (IP) phone device, comprising the steps of:

arranging information within the PDA to correspond to at least one of first and second data sets, the first data set including phone features of a user, the second set including phone policies of the user (Fig. 4; col. 3, lines 43 - 67); and

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operating the IP phone device according to the arranged information (Fig. 4; col. 3, lines 43 - 67).

2.2 Per claim 2, Whitridge teaches that said arranging step includes the steps of:

storing a list of predetermined phone features in the PDA (Fig. 4; col. 3, lines 43 - 67);

and

selecting, in the PDA, certain phone features from the list of predetermined phone features to arrange the information (Fig. 4; col. 3, lines 43 - 67).

2.3 Regarding claim 5, Whitridge discloses that said operating step includes the step of:

receiving and initiating calls through the IP phone device according to the arranged information from said arranging step (Abstract; Fig. 4; col. 3, lines 43 - 67).

2.5 Regarding claim 6, Whitridge discloses modifying the arranged information of said arranging step (Fig. 4; col. 3, lines 43 - 67).

2.6 Per claim 7, Whitridge teaches the PDA includes a phone application program interface (API) for interfacing the PDA with phone functionality of the IP phone device (Abstract; Fig. 4).

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2.7 Regarding claim 8, Whitridge discloses in said arranging step, the PDA includes a feature/policy application program interface (API) for interfacing the PDA with the phone features and phone policies of the user (Abstract; col. 2, lines 21 - 34).

2.8 Per claim 9, Whitridge teaches connecting the PDA to an Internet Protocol-Public Branch Exchange (IP-PBX) via the IP phone device (col. 5, lines 14 - 32).

2.9 Regarding claims 10, 11, 13, 16, 18 - 21, 23, 24, 27, 30, 33 - 35, 37, 38, 41, 44, and 46 - 49, the previous rejection of claims 1, 2, and 5 - 9 under 35 USC 102(e) (paragraphs 2.1 - 2.8 above) applies fully.

### ***Response to Arguments***

3. Applicant's arguments filed 4/30/2002 (paper #6; request for reconsideration) have been fully considered but they are not persuasive.

Applicant argues that the PDA of Whitridge does not store any information about phone policies or features specific specific to a user.

Examiner disagrees.

Clearly, Whitridge teaches “an **interactive communications interface and personal phone book**” (col. 3, lines 46 - 47), which implies phone policies and features specific to a user.

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***Allowable Subject Matter***

4. Claims 3, 4, 12, 14, 15, 17, 22, 25, 26, 28, 29, 31, 32, 36, 39, 40, 42, 43, 45, 50, and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Coulter whose telephone number is (703) 305-8447.

KENNETH R. COULTER  
PRIMARY EXAMINER  


krc

July 15, 2002